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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CASE NO. 08CR0543
11) 08MJ8140
Plaintiff,)
12 vs.) NOTICE OF MOTION; MOTION TO
13) SHORTEN TIME FOR HEARING;
Mariano Garcia-Barrera,)
14) DATE: May 8, 2008
Defendant.) TIME: 2:30 p.m.
15) PLACE: Courtroom of Magistrate
Louisa A. Porter

16 I, Thomas G. Gilmore, Esq. declare:

17 I am an attorney duly licensed to practice before all the
18 courts of this District and Circuit and am the attorney of record
19 for the material witnesses in this action, Constantino Escamilla-
20 Ortiz, Antonio Valenzuela-Gonzalez, Guillermo Mata-Valles and
21 Alcelmo Sanchez-Salazar.

22 I hereby move the Court for an Order Shortening Time for the
23 Motion for Video Tape Deposition and Subsequent Release to May 8,
24 2008 at 2:30 p.m. The witnesses have attempted to locate a surety
25 without success and further delay is an unwarranted hardship on
26 themselves and their families, all as more particularly set forth
27 in the Declaration of attorney Thomas G. Gilmore filed herewith.

28 I declare under the penalty of perjury under the laws of the

1 State of California that the foregoing is true and correct of my own
2 personal knowledge except as to those matters stated to be based
3 upon information and belief and, as to those matters, I am informed
4 and believe that they are true and correct.

5 Executed this April 30, 2008 in San Diego, California.

6 Respectfully submitted,

7 /ss/ Thomas G. Gilmore
8 THOMAS G. GILMORE, Attorney for
9 Material Witness

10 ORDER

11 Good cause appearing therefore, IT IS HEREBY ORDERED that the
12 motion for shortening time is granted. The motion of material
13 witnesses Constantino Escamilla-Ortiz, Antonio Valenzuela-Gonzalez,
14 Guillermo Mata-Valles and Alcelmo Sanchez-Salazar for video tape
15 deposition and subsequent deportation shall take place on May 8,
16 2008 at 2:30 p.m. in the Courtroom of the Honorable Magistrate
17 Louisa A. Porter.

18 DATED: _____

United States Magistrate